

BEFORE ME, the undersigned authority, on this day personally appeared **Ervin Frank Layer**, who after being by me duly sworn and upon oath stated that he is over eighteen (18) years of age, of sound mind, and is qualified and competent in all respects to make this affidavit and to do so of his own personal knowledge, and he further stated that the following statements

are true and correct and based upon his personal knowledge:

1. Debtor, **Ervin Frank Layer**, filed a voluntary petition for relief under Chapter 13 of the Bankruptcy Code in Case Number 13-30466 on or about 2/1/2013.
2. On or about May 16, 2013, Movant **JP MORGAN CHASE BANK, NATIONAL ASSOCIATION, ITS SUCCESSORS AND ASSIGNS**, (hereinafter "Movant") filed a Motion for Relief From Stay seeking a lift of the automatic stay insofar as the property described in the Motion for Relief From Stay.
3. Debtor is in possession of the above-described property.
4. The above-described property is not a burden to the Bankruptcy Estate and should not be abandoned.
5. Debtor has in full force and effect an insurance policy on the above-described property.
6. Movant has indicated that Debtor was delinquent in post-petition payments at the time his attorney filed this Motion to Lift Stay. Debtor maintains that Debtor is behind as a direct result of Movant's refusal to accept payment. Debtor maintains that an agent of Movant informed Debtor to not make payments until the Motion for Relief was resolved.
7. Debtor would be caused irreparable injury and undue hardship if the Automatic Stay were lifted and Movant was granted leave to sell the property. Debtor resides in the property and has claimed it as his homestead. It is necessary to his reorganization.
8. Debtor has equity in the property and will further adequately protect Movant's

interest.

9. Debtor is current on his Chapter 13 Trustee payments.
10. Debtor will resume direct monthly payments to Movant, assuming Movant accepts payment. .

WHEREFORE, Debtor respectfully requests that this Court deny Movant's Motion to Lift Stay.

SIGNED this the 3 day of Oct, 2014.

/s/ [Signature]
DEBTOR

SUBSCRIBED AND SWORN TO before me by the above-named Affiant on October 2, 2014, to certify which witness my hand and seal of office.



/s/ Courtney Leigh-Ann Haw 11/9/16
Notary Public, State of Texas

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 2, 2014, a true and correct copy of the foregoing *Respondent/Debtor's Affidavit* was served on the following parties and/or ECF notification:

Respectfully Submitted,

ALLMAND LAW FIRM, P.L.L.C.

/s/ Jacob A. Decker
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